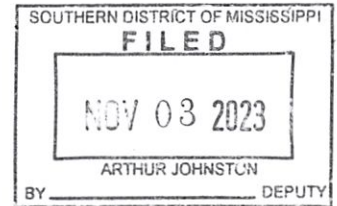


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION



KATRINA DANIELLE MATEEN

PLAINTIFF

VS

CIVIL ACTION NO.: 1:23cv306Tbm-Rpm

CITY OF GULFPORT, No. 1., is being sued in their official capacity  
As the governing body for the City of Gulfport, Mississippi, located at  
2309 15<sup>th</sup> Street, in Gulfport, Mississippi 39501 for protecting then  
Officer/but now Sergeant Kenneth Nassar who shot and killed Jaheim  
McMillan, on October 6, 2022, at the Family Dollar Store, located at  
1016 Pass Road, in Gulfport, Mississippi 39501

AND

KENNETH NASSAR, No. 2, is being sued in his individual capacity  
As Officer/but now Sergeant and was at all time relevant to these  
Proceedings was employed by the Gulfport Police Department,  
Located at 2220 15<sup>th</sup> Street, in Gulfport, Mississippi, 39501, while  
Working under the color of state law at the time the Defendant shot  
And killed Jaheim McMillan, on October 6, 2022, at the Family Dollar  
Store, located at 1016 Pass Road, in Gulfport, Mississippi 39501.

DEFENDANTS

JURY TRIAL REQUESTED ON FEDERAL LAW CLAIMS

NOTICE OF REMOVAL

TO: Katrina Daneille Mateen, Pro Se  
111N. Lang Avenue  
Long Beach, Mississippi 39560

Mrs. Connie Ladner  
Circuit Court Clerk  
Post Office Box 998  
Gulfport, Mississippi 39502

COMES NOW the City of Gulfport, Mississippi, by way of special appearance only, and

without in any way waiving but reserving all rights, objections, immunities, and defenses, including those under Rule 12 of the Federal Rules of Civil Procedure or under state and/or federal law, and defenses or objections it may have to the in personam jurisdiction or subject matter jurisdiction of this Court and to the document entitled “CIVIL COMPLAINT AND ACTION,” be they affirmative or otherwise, and without making any general appearance whatsoever, and gives notice of the removal of this action from the Circuit Court of Harrison County, First Judicial District, Mississippi to the United States District Court for the Southern District of Mississippi, Southern Division. In support of this Notice, the City would state as follows, to-wit:

I.

The City of Gulfport, Mississippi, by way of special appearance only, has this day filed with the Clerk of the United States District Court for the Southern District of Mississippi, Southern Division, the instant Notice of Removal, and has thereby affirmatively removed this cause of action from the Circuit Court of Harrison County, First Judicial District, Mississippi, to the United States District Court for the Southern District of Mississippi, Southern Division, in Gulfport, Mississippi.

II.

Attached hereto as Exhibit “A” is a copy of the entire court file appearing in the records of the Circuit Court Clerk of Harrison County, First Judicial District, Mississippi, including, without limitation, any pleadings and orders appearing in the records of the Circuit Court Clerk of Harrison County, First Judicial District, Mississippi.

III.

This appears to be a civil action commenced by Plaintiff, “Katrina Mateen” against the

City of Gulfport, Mississippi and another party in the Circuit Court of Harrison County, First Judicial District, Mississippi, bearing Civil Cause No. A2401-2023-00379. The time provided for removal has not expired since Plaintiff claims to have sent a copy of the Complaint to the City on or around October 5, 2023.

IV.

Plaintiff appears to have attempted to assert issues pertaining to alleged violations of the United States Constitution in the document entitled “CIVIL COMPLAINT AND ACTION,” which Plaintiff filed in this state court proceeding on October 4, 2023. By way of example only, Plaintiff avers in her “Complaint” that violations of the “Fourth Amendment” to the United States Constitution occurred due to “excessive force” and an “illegal search and seizure.” See e.g., Pl.’s Compl., pp. 7, 14 (¶¶ 7, 13) (Exhibit “A”). Such allegations and claims are therefore those of which the United States District Court for the Southern District of Mississippi has original federal question jurisdiction under 28 U.S.C. §§ 1331 and 1441 and this action may be removed to the Court by petitioner pursuant to 28 U.S.C. § 1441.

V.

No other pleadings are known to have been filed in this cause other than those attached hereto and made a part hereof.

VI.

The City of Gulfport, by way of special appearance only, shows unto the Court that Harrison County, First Judicial District, Mississippi, is within the Southern Division of the United States District Court for the Southern District of Mississippi.

WHEREFORE, the City of Gulfport, Mississippi, which is making a special appearance herein and which reserves all objections, responses, rights, immunities, and defenses, affirmative

or otherwise, that it may have in connection with what is construed to be a "Complaint" in this matter, including, but not limited to, those under Rule 12 of the Federal Rules of Civil Procedure and defenses or objections it may have to the in personam jurisdiction or subject matter jurisdiction of this Court, and without making any general appearance whatsoever, submits that this Notice of Removal should be received and filed, and that no further proceedings be had before the Circuit Court of Harrison County, First Judicial District, Mississippi, but that this proceeding be removed to the instant Federal forum.

This, the 3<sup>rd</sup> day of November, 2023.

RESPECTFULLY SUBMITTED,

CITY OF GULFPORT, MISSISSIPPI,  
SPECIALLY APPEARING

By: 

JEFFREY S. BRUNI, ESQ.

Attorney for City of Gulfport, Mississippi,  
MS Bar License No. 9573

JEFFREY S. BRUNI, ESQ.  
ATTORNEY-AT-LAW  
POST OFFICE BOX 1780  
GULFPORT, MISSISSIPPI 39502  
TELEPHONE: (228) 868-5811  
FACSIMILE: (228) 868-5795



**CERTIFICATE OF SERVICE**

I, Jeffrey S. Bruni, Attorney for the City of Gulfport, Mississippi, do hereby certify that I have this day had sent via First Class United States Mail, postage prepaid, a true and correct copy of the above and foregoing Notice of Removal and a copy of the proceedings appearing in the records of the Circuit Court of Harrison County, First Judicial District, Mississippi, Civil Action No. A2401-2023-00379, styled as set above herein, to Katrina Danielle Mateen, Pro Se, 111 N. Lang Avenue, Long Beach, MS 39560 (which is the address for Plaintiff referenced in the purported Summons she had issued to the City of Gulfport, Mississippi in the State Court cause) and hand delivered to Mrs. Connie Ladner, Circuit Court Clerk, Post Office Box 998, Gulfport, Mississippi; and that I have had caused on this date to be electronically filed the above and foregoing documents with the Clerk of this Federal Court through the ECF system, which should also send notification of such filing to all parties of record.

This the 3<sup>rd</sup> day of November, 2023.

  
\_\_\_\_\_  
JEFFREY S. BRUNI

JEFFREY S. BRUNI, ESQ.  
ATTORNEY-AT-LAW  
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